

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>In re to the Application of:</b>  Peter W. BRINGMANN et al.  <b>Serial No.:</b> 10/005,646  <b>Filed:</b> 7 December 2001  <b>Title:</b> NOVEL FIBROBLAST GROWTH FACTORS  <b>Docket No.:</b> 51835AUSM1	<b>Examiner:</b> Christine J. Saoud  <b>Group Art Unit:</b> 1647
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION**

Dear Sir:

This communication is responsive to the Office Action mailed 14 February 2005, in the above-referenced application. Applicants respectfully request consideration of the following remarks and amendments responsive to this Office Action.

A request for a three-month extension for responding to this Office Action is enclosed herewith, making the due date for responding to the Office Action, 15 August 2005 (since 14 August 2005 is a Sunday). Thus, this response is timely filed.

The Commissioner is hereby authorized to charge any fees associated with this response, or credit any overpayment, to Deposit Account No. 02-2117.

**AMENDMENTS****In the Claims:**

Please amend Claim 40 as follows. A clean copy of the pending claims as amended are attached herewith in the Appendix.

40. (Twice Amended) The method of Claim 36, wherein said polypeptide has 9[4]5% sequence identity to amino acid 1 to amino acid 208 of human FGF-9 as set forth in Fig. 3 (SEQ ID NO: 5), and wherein said polypeptide has FGF activity.

10/12/2005 JBALINAN 00000111 022117 10005646

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